

WAR MEMORIALS IN MILITARY CEMETERIES

Exchange of notes at Paris May 24 and July 11 and 12, 1924

Entered into force July 12, 1924

Confirmed and continued in force by exchange of notes at Paris August 7 and October 19, 1946¹

Department of State files

The American Ambassador to the Minister of Foreign Affairs

No. 2768

PARIS, May 24, 1924

EXCELLENCY:

By direction of my Government I have the honor to inform Your Excellency that by an Act of Congress approved March 4, 1923,² a copy of which is enclosed, a commission to be known as the American Battle Monuments Commission was created and established. Section 2 of the Act makes it the duty of the Commission to prepare plans and estimates for the erection of suitable memorials to mark and commemorate the services of the American forces in Europe, and to erect memorials at such places as the Commission shall determine, including works of architecture and art in the American cemeteries in Europe, as well as to secure such photographs of the terrain of the various battlefields of Europe upon which units of the armed forces of the United States were actively engaged with the enemy as will complete the historical photographic record of the operations of such units.

It is considered by the Commission, the Chairman of which is General Pershing, a matter of great importance that all war memorials erected by Americans in Europe be of such a nature as to fittingly represent the United States. In order to insure this, it will be necessary to have government supervision over the designs, materials and inscriptions of such memorials.

In the legislation creating the American Battle Monuments Commission, an attempt was made to obtain this supervision by the following section in the legislation:

“Sec. 8. That the commission is authorized and directed to cooperate with American citizens, States, municipalities, or associations desiring to

¹ *Post*, p. 1191.

² 42 Stat. 1509.

erect war memorials in Europe in such manner as may be determined by the commission: *Provided*, That no assistance in erecting any such memorial shall be given by any administrative agency of the United States unless the plan has been approved in accordance with the provisions of this Act."

I therefore have the honor to ask whether it would be possible for the appropriate French authorities to take such steps as may be necessary to prevent the erection of war memorials in France by Americans unless these memorials have had the approval of the American Battle Monuments Commission.

My Government has been informed by the Secretary of the Commission that upon the request of the British organization in charge of British war memorials in France, the French authorities have taken action similar to that which is now requested.

With assurances of my high regard I have the honor to be,
Your Excellency's most humble and obedient servant,

For the Ambassador:
SHELDON WHITEHOUSE

His Excellency,
M. RAYMOND POINCARÉ,
President of the Council,
Minister for Foreign Affairs,
Paris.

The Ministry of Foreign Affairs to the American Embassy

[TRANSLATION]

FRENCH REPUBLIC
MINISTRY FOR FOREIGN AFFAIRS

JULY 11, 1924

In its note dated May 24th last, the Embassy of the United States of America was good enough to inform the Ministry for Foreign Affairs that it would be the duty of the American Battle Monuments Commission, by virtue of an Act of Congress, to prepare plans and estimates for the erection of memorials destined to commemorate the services of the American forces in France, including memorials to be erected in the American cemeteries.

The Embassy requested that the competent French authorities take the necessary steps to prevent the erection of war memorials by Americans, unless previously authorized by the American Battle Monuments Commission.

The Ministry of Pensions, to which this request was transmitted, calls attention to the fact that in accordance with the provisions of the Decree of November 18, 1922, the erection of memorials of the War of 1914-1918, may be authorized under the following conditions:

By the Ministry of Pensions, Premiums and War Allowances, in national cemeteries;

By the Ministry of War, and eventually by that of Marine, after approval of the Ministry of the Interior, and Public Instruction and Fine Arts, outside of cemeteries, when it is a question of perpetuating the memory of important events of the war or commemorating on the premises bravery or heroic deeds.

As regards its administration, the Ministry of Pensions states that no authorization for the erection of a memorial in any military cemetery will be given to American citizens, if the American Battle Monuments Commission has not specifically consented to the erection of such a memorial.

As regards the question of memorials outside cemeteries, the Ministry of War, which is the competent authority in the matter, has been informed, and as soon as its reply is received by the Ministry for Foreign Affairs, the latter will not fail to transmit it to the Embassy of the United States. But the Ministry of the Interior, which is also concerned, has already stated that it has no objection, in so far as it is concerned, to a favorable consideration of the request of the Embassy of the United States.

EMBASSY OF THE UNITED STATES OF AMERICA

Paris

The Ministry of Foreign Affairs to the American Embassy

[TRANSLATION]

FRENCH REPUBLIC
MINISTRY FOR FOREIGN AFFAIRS

In its note of the 11th of this month, the Ministry for Foreign Affairs informed the Embassy of the United States that the Ministry of Pensions, Premiums and War Allowances, would take the necessary steps to prevent the erection of war memorials in national military cemeteries by American citizens, unless previously authorized by the American Battle Monuments Commission.

As regards the erection of memorials outside of cemeteries, the Ministry for Foreign Affairs has the honor to inform the Embassy of the United States today that, according to a communication from the Ministry of War, similar steps will be taken by the competent authorities.

PARIS, July 12, 1924

EMBASSY OF THE UNITED STATES OF AMERICA

Paris